

REMARKS

Applicants respectfully request reconsideration and allowance of this application in view of the amendments above and the following comments.

The amendment above is clear and corrects a typographical error in Applicants' previous amendment.

Referring to the Advisory Action dated January 31, 2001, the Examiner refused to enter and consider Applicants' previous amendment because, *inter alia*, it introduced new matter. Applicants respectfully direct that that amendment now be entered. Regarding the new matter, Applicants submit that the Examiner is in error. Although the specification may not expressly state that the elements A and B are different, this is the clear thrust of the specification. Thus, there is a laundry list of elements A at page 2, lines 5-13, and a separate laundry list of elements B at page 2, lines 18-37. Applicants believe the two lists are mutually exclusive. Moreover, the Example 1 shows elements A and B being different. Persons skilled in the art are, thus, left with the clear impression that elements A and B can be different. Accordingly, there is no reason to doubt that at the time the present application was filed, Applicants had possession of compositions wherein elements A and B were different. Consequently, the amendment of the claims to reflect this fact does not introduce new matter. *See, also, e.g., In re Anderson*, 176 USPQ 331, 336 (CCPA 1973), for the proposition that in determining whether an amendment to

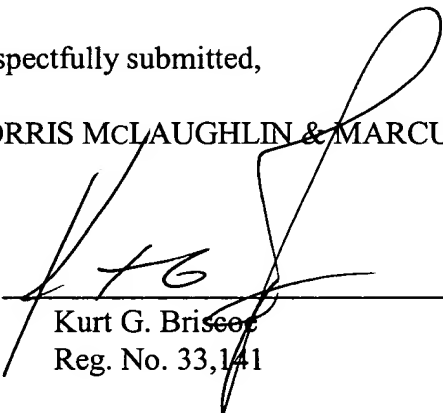
a claim constitutes new matter, the question is not whether the added *word* is a word that is used in the application as filed, but whether the *concept* embodied by the added word is present in the original specification.

Early and favorable action is earnestly solicited.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS, P.A.

By



Kurt G. Briseot
Reg. No. 33,141

220 East 42nd Street
30th Floor
New York, New York 10017
(212) 808-0700